## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

MARIO R. BARAHONA,	)
	)
Petitioner,	)
	)
v.	) Case No. 3:13-mc-0120
	)
ROBERT E. COOPER,	) Chief Judge Haynes
Attorney General of Tennessee,	)
	)
Respondent.	)

## <u>ORDER</u>

Mario Barahona has filed a petition for the writ of habeas corpus under 28 U.S.C. § 2254. The petition, however, was not accompanied either by the required \$5.00 filing fee, or by an Application to Proceed in District Court without Prepaying Fees or Costs. This Court cannot review or consider a § 2254 habeas petition unless the petitioner has either submitted the filing fee or been granted leave to proceed without prepayment of fees and costs.

The Clerk is **DIRECTED** to send to the petitioner a blank Application to Proceed in District Court without Prepaying Fees or Costs. Within **30 days** from the date of entry of this order on the docket, the petitioner **MUST** submit to the Court either the \$5.00 filing fee or the completed application. The plaintiff's submission (whether he pays the fee or submits the application) must state the temporary docket number assigned to this matter on its face (Case No. **3:13-mc-0120**).

The petitioner is forewarned that, should he fail to comply with the instructions of the Court within the 30-day time limit, his petition may be denied and this action dismissed for

failure to comply with the instructions of the Court and for want of prosecution. Fed. R. Civ. P. 41(b).

It is so **ORDERED**.

ENTERED this the \_\_\_\_\_\_, 2013.

Chief Judge

United States District Court